

SCANNED

UNITED STATES DISTRICT COURT

for

Western District Of Pennsylvania

**FILED**

JUN 10 2009

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

U.S.A. vs. Hyst L Schobert

Docket No. 0315 2:09CR00016-001

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct of defendant Hyst L Schobert, who was placed under pretrial release supervision by the Honorable Robert C. Mitchell sitting in the COURT at Pittsburgh, PA, on the 23<sup>rd</sup> day of January, 2009, under the following conditions:

The defendant is to report to the U.S. Pretrial Services as directed.

The defendant is to abide by the following restrictions on personal association, place of abode, or travel: The defendant shall not depart the Western District of Pennsylvania.

The defendant is to avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: Richard McLain

The defendant is to refrain from possessing a firearm, destructive device, or other dangerous weapons.

The defendant is to refrain from excessive use of alcohol.

The defendant is to refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

The defendant is to submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

The defendant is to participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

The defendant is to refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is (are) required as a condition(s) of release.

The defendant is to participate in the following home confinement program components and abide by all the requirements of the program which will not include electronic monitoring or other location verification system.

Curfew. The defendant is restricted to his residence every day from 10:00 pm. to 6:00 a.m., or as directed by the pretrial services office or supervising officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

This officer conducted an unannounced visit at the defendant's residence, to collect a urine on May 27, 2009. During the visit, the defendant indicated that he had used cocaine days prior to the visit, due to his anxiety regarding information that a Pennsylvania State Trooper was looking for him for questioning. That test was returned positive for cocaine, opiates, oxycodone, and benzodiazepines, by our local lab on June 2, 2009.

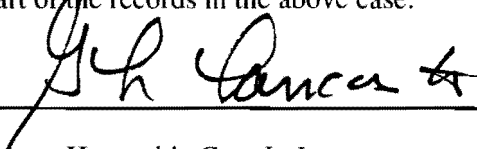
The defendant's counselor was scheduled to further discuss this use with the defendant during a counseling session on June 3, 2009. However, the defendant failed to report to his counseling session. The defendant left a voice mail message for this officer; however, no personal contact has been made. Pretrial Services obtained information from the Pennsylvania State Police regarding their questioning of the defendant. They indicated that they were investigating a stolen license plate from a Walmart parking lot that the defendant and other individuals may have been involved in orchestrating. They are not in the position to file any charges at this time.

As a result of the defendant's use of illegal substances and failing to report to counseling as directed, Pretrial Services is recommending that a bond revocation hearing be scheduled and the defendant's bond be revoked.

PRAYING THAT THE COURT WILL ORDER THAT A BOND REVOCATION HEARING BE SCHEDULED BEFORE THIS COURT. SAID HEARING WILL BE HELD BEFORE THE COURT ON THURSDAY, JUNE 25, 2009 AT 1:30 PM IN COURTROOM NO. 3A, 3RD FLOOR, U.S. COURTHOUSE, PITTSBURGH, PA.

ORDER OF COURT

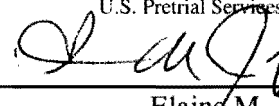
Considered and ordered this 15<sup>th</sup> day  
of June, 2009, and ordered filed and  
made a part of the records in the above case.

  
Honorable Gary L. Lancaster  
U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed  
on June 10, 2009

  
Dennis P. Martin  
U.S. Pretrial Services/Probation Officer

  
Elaine M. Johnston  
Supervising U.S. Pretrial Services/Probation Officer

Place Pittsburgh, Pennsylvania

cc: All Counsel  
US Marshal  
US Pretrial Services